

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DENNIS SHERRELL,

No. 1:22-cv-00043-DAD-SAB

Plaintiff,

v.

420 KINGDOM,

Defendant.

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
THIS ACTION DUE TO PLAINTIFF'S
FAILURE TO PAY THE REQUIRED FILING
FEE, FAILURE TO PROSECUTE, AND
FAILURE TO OBEY A COURT ORDER

(Doc. No. 3)

Plaintiff Dennis Sherrell, proceeding *pro se*, initiated this civil action on January 11, 2022.

(Doc. No. 1.) This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On January 12, 2022, the court issued an order directing plaintiff to either pay the required filing fee in order to proceed with this action or file an application to proceed *in forma pauperis* with this action, within thirty (30) days of that order. (Doc. No. 2.) A copy of that order was served on plaintiff at his address of record. On February 11, 2022, the service copy of that order was returned to the court as "Undeliverable, RTS, Not Deliverable as Addressed, Unable to Forward." Plaintiff was required by Local Rule 183 to file a notice of change of address with this court within sixty-three days of February 11, 2022, and he did not do so.

1 On March 24, 2022, the assigned magistrate judge issued findings and recommendations
2 recommending that this action be dismissed, without prejudice, due to plaintiff's failure to pay the
3 required filing fee, failure to prosecute this action, and failure to obey a court order. (Doc. No. 3.)
4 The pending findings and recommendations were served on plaintiff and contained notice that
5 any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) On
6 April 15, 2022, the service copy of those findings and recommendations mailed to plaintiff was
7 also returned to the court as "Undeliverable: Return to Sender, Not Deliverable as Addressed;
8 Unable to Forward." To date, no objections to the findings and recommendations have been
9 filed, and the time in which to do so has now passed. In addition, plaintiff has not filed a notice
10 of change of address as required or otherwise communicated with the court.

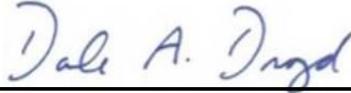
11 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
12 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the
13 findings and recommendations are supported by the record and by proper analysis.

14 Accordingly:

- 15 1. The findings and recommendations issued on October 26, 2021 (Doc. No. 6) are
16 adopted in full;
- 17 2. This action is dismissed, without prejudice, due to plaintiff's failure to pay the
18 required filing fee, failure to prosecute this action, and failure to obey a court
19 order; and
- 20 3. The Clerk of the Court is directed to close this case.

21 IT IS SO ORDERED.

22 Dated: April 15, 2022


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24 UNITED STATES DISTRICT JUDGE

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